BOMBAY ACT No. IV OF 1885.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 20th October, 1885.*)

Bom. I and II of 1884.

An Act to amend the Bombay Local Boards Act, 1884, and the Bombay District Municipal Act Amendment Act, 1884.

[NOTE.—The amendments made by this Act are incorporated in Bom. Acts I and II of 1884, respectively, as printed on pp. 34 *et seq.* and 69 *et seq. supra.*]

BOMBAY ACT No. III OF 1886.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 25th September, 1886.*)

An Act to amend the Bombay General Clauses Act, 1866[a], and to shorten the language of the enactments of the Governor of Bombay in Council.

Bom. X of 1866.

WHEREAS it is expedient to amend the Bombay General Clauses Act, 1866[a], and to make other provisions for shortening the language of the enactments of the Governor of Bombay in Council, and for explaining their meaning; It is enacted as follows:—

Short title.

1. This Act may be cited as the Bombay General Clauses Act, 1886.

Enactments repealed and amended.

2. [b]The words quoted in the fourth column of Schedule B from the enactments made by the Governor of Bombay in Council respectively mentioned in the previous columns of the said schedule are repealed, and, where such intention is expressed in the said schedule, the words contained in the fifth column thereof shall be deemed to be substituted respectively for the words so repealed.

General definitions.

3. In this Act and in all Regulations and Acts made by the Governor of Bombay in Council, unless there be something repugnant in the subject or context,—

Gender.

(1) words importing the masculine gender include females;

Number.

(2) words in the singular include the plural, and *vice versâ*;

(3) "person" includes a company or association or body of individuals, whether incorporated or not;

(4) "year" and "month" mean, respectively, a year and a month reckoned according to the British calendar;

(5) "British India" means the territories for the time being vested in

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[a] Bom. Act X of 1866 was repealed by s. 2 of this Act.
[b] Portion repealed by Act XVI of 1895 is omitted.

Her Majesty by the Statute 21 and 22 Victoria, Chapter 106 [a] (*an Act for the better Government of India*) [b];

(6) "Presidency of Bombay" means the territories within British India for the time being under the administration of the Governor of Bombay in Council;

(7) "City of Bombay" means the area within the local limits for the time being of the ordinary original civil jurisdiction of the Bombay High Court of Judicature;

(8) "Her Majesty" includes Her heirs and successors to the Crown;

(9) "Government of India" means the Governor General of India in Council, or, during the absence of the Governor General of India from his Council, the President in Council, or the Governor General of India alone, in respect of the powers which may be lawfully exercised by them or him respectively;

(10) "Government" means the Governor of Bombay in Council;

(11) "Commissioner" means, in Sindh, the Commissioner in Sindh, and elsewhere the Commissioner of a division appointed under the Bombay Land-revenue Code, 1879 [c], or any other law for the time being in force in this behalf; Bom. V of 1879.

(12) "Collector" means, in the City of Bombay, the Collector of Bombay, and elsewhere, the chief local officer in charge of the revenue administration of a district;

(13) "Magistrate" means any person exercising magisterial powers under the Code of Criminal Procedure [d]; X of 1882.

(14) "imprisonment" means imprisonment of either description as defined in the Indian Penal Code [e]; XLV of 1860

(15) "to abet" means to abet within the meaning of that term as defined in the Indian Penal Code [e];

(16) "immoveable property" includes land, benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth;

(17) "moveable property" means property of every description, except immoveable property;

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[a] Printed in the Collection of Statutes relating to India, Vol. II, Ed. 1881, p. 651.
[b] Words repealed by Act XVI of 1895 are omitted.
[c] Printed in Vol. II of this Code, p. 303.
[d] For Act X of 1882 see the revised edition, as modified up to 15th December, 1888, published by the Legislative Department.
[e] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

(18) "vessel" means anything made for the conveyance by water of human beings or of property;

(19) in every case in which a person is by law allowed to affirm or to declare instead of swearing, "oath" includes an affirmation, and "affidavit" includes a declaration, and to "swear" includes to affirm or declare;

(20) "writing" and "written" include printing, lithography, photography, engraving, and every other mode in which words or figures can be expressed on paper or on any substance;

(21) "Chapter", "part", "section", and "schedule" mean, respectively, a chapter, part or section of, and a schedule annexed to, the enactment in which the word occurs;

(22) "from" and "to", when used with reference to a series of days or other periods of time, respectively, exclude and include the first and the last of the days or other periods in such series.

Official chiefs and subordinates.

4. For the purpose of expressing that a law relative to the chief or superior of an office shall apply to the deputies or subordinates lawfully executing the duties of such office in the place of their superior, it shall be sufficient to prescribe the duty of the superior.

Successors.

5. For the purpose of indicating the relation of a law to the successors of any functionaries, or of corporations having perpetual succession, it shall be sufficient to express its relation to the functionaries or corporations.

Substitution of functionaries.

6. For the purpose of indicating the application of a law to every person or number of persons for the time being executing the functions of an office, it shall be sufficient to mention the official title of the officer at present executing such functions or that of the officer by whom the functions are commonly executed.

Revival of repealed enactments.

7. No provision of any Regulation or Act which has been repealed shall be deemed to be revived by any enactment of the Governor of Bombay in Council, unless such intention is expressly stated in the enactment.

Matters done under an enactment before its repeal to be unaffected by the repeal.

8. The repeal of any Regulation or Act by any enactment of the Governor of Bombay in Council shall not, unless a contrary intention is expressed, be deemed to affect anything done or any offence committed or any fine or penalty incurred or any proceeding commenced before the repealing enactment came or comes into force.

Publication of orders and notifications in the Bombay Government

9. Whenever in any enactment of the Governor of Bombay in Council or in any rule passed under any such enactment it is directed that any order, notification or other matter shall be notified or published, such notification or

Gazette to be deemed to be due publication.

publication shall, unless the enactment otherwise provides, be deemed to be duly made if it is published in the Bombay Government Gazette.

Commencement of Acts in which no time for their coming into force is expressly mentioned.

10. Whenever in any Act of the Governor of Bombay in Council no time is mentioned at which the same shall come into force, such Act shall be deemed to have come into force or shall come into force, as the case may be, upon the first publication by the Governor of Bombay of the assent of the Governor General of India thereto.

In every such Act the date of the said publication shall be printed either above or below the title of the Act and shall form part of such Act.

Determination of the time which Acts or provisions of Acts extended or applied by Government to certain places, etc., are to come into force.

11. Whenever, by any enactment of the Governor of Bombay in Council, Government is empowered to extend or apply an Act or any provision of an Act to any place in, or to any portion of, the presidency of Bombay, the Government may, in any order extending or applying such Act or provision, or in a subsequent order, notify the time at which the same shall come into force in the place or portion of the presidency to which it is so extended or applied;

and, unless it is otherwise provided in the Act, Government may, by notification in the Bombay Government Gazette, from time to time postpone the time at which the Act or provision shall come into force in such place or portion of the presidency, or cancel the order for extending or applying the same to such place or portion of the presidency:

Provided that no order postponing the time at which an Act or provision shall come into force, or cancelling an order for extending or applying the same, shall be made after the Act or provision has actually come into force in the place or portion of the presidency to which such order relates.

Provisions of the Indian Penal Code applicable to fines.

12. The provisions of sections 63 and 68 to 70, both inclusive, of the Indian Penal Code [a] shall be deemed to apply to every fine imposable under any enactment of the Governor of Bombay in Council, unless a contrary intention is expressed in the enactment or appears from the subject or context. XLV of 1860.

Sections 3 to 12 to apply to all enactments of the Governor of Bombay in Council in force.

13. Sections 3 to 12, both inclusive, apply to all enactments of the Governor of Bombay in Council now in force or which shall hereafter at any time be in force.

[a] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

(Schedule B.)

SCHEDULE A.

[*Acts of the Governor of Bombay in Council repealed.*] *Repealed by Act XVI of 1895.*

SCHEDULE B[a].

VERBAL AMENDMENTS MADE IN THE REGULATIONS AND ACTS OF THE GOVERNOR OF BOMBAY IN COUNCIL.

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Regulations.				
[b] XII of 1827	19	1	"Magistrate" . . .	"District Magistrate".
	,,	6	"the Magistrate" (the first time the words occur).	"the District Magistrate".
	,,	,,	"the Magistrate" (the second time the words occur).	"any Magistrate."
	,,	,,	"ordinary" . . .	"simple".
	,,	,,	"without labour"	

[a] Sch. B having been repealed, so far as it relates to the following enactments, by the Acts noted against each, the reference to those enactments have been omitted.

Enactments omitted.	Repealing Acts.
Bom. Reg. XXII of 1827, ss. 19 and 21 . . .	Bom. Act I of 1891 s. 1 (*b*).
Bom. Acts I, V and VI of 1862 } I, III, V and VI of 1863 } . . .	Act XVI of 1895.
III of 1866	Bom. Act I of 1891, s. 1 (*b*).
VII, VIII, XII and XIII of 1866 . .	Act XVI of 1895.
III of 1867	Bom. Act I of 1891, s. 1 (*b*).
VI of 1867 } II of 1868 } III of 1869 } II of 1871 } I of 1872 }	Act XVI of 1895.
III of 1872 } V of 1873 }	Bom. Act I of 1891, s. 1 (*b*).
VI of 1873	Act XVI of 1895.
VII of 1873	Bom. Act I of 1891, s. 1 (*b*).
I, II and III of 1874 . } III of 1875 . . } II and III of 1876 . } I of 1877 . . . } IV, V, VI and VII of 1879 } I of 1880 . . } I and II of 1883 . . } I and II of 1884 . . } . .	Act XVI of 1895.

[b] So much of Sch. B as relates to Bom. Reg. XII of 1827, s. 19, cls. 1, 6, 7 and 8, is repealed by Bom. Act IV of 1890 wherever that Act extends.

SCHEDULE B—*continued.*

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Regulations.				
[a]XII of 1827 —*contd.*	19	7	"Magistrate" (the first time the word occurs).	"District Magistrate".
	"	"	"Magistrate" (the second time the word occurs).	"Magistrate before whom proceedings against such individual are being held".
	"	8	"The Magistrate shall also".	"Any Magistrate may".
	20	...	"Magistrate" . . .	"District Magistrate".
	27	2	"Magistrate" (each time the word occurs).	"District Magistrate".
	"	"	"ordinary" . . .	"simple".
	"	"	"without hard labour".	
	37	1	"Magistrate" . . .	"District or Subdivisional Magistrate".
[b]XXII of 1827	40	...	"Magistrate" . . .	"District Magistrate".
	41	1	"local"	"District".
	42	1	"local"	"District".
	"	2, 3, 4	"Magistrate" (each time the word occurs).	"District Magistrate".
XXV of 1827	4	2	"Magistrate" (both times the word occurs).	"District Magistrate".
	7	...	"Magistrate" . . .	"District Magistrate".
Acts.				
IV of 1862	1	...	"the Magistrate" (the second time the words occur).	"a Magistrate of the first class".
	"	...	"calendar".	
	6	...	"Magistrate" . . .	"District Magistrate".
	"	...	"this Act" . . .	"section 4".
	"	...	"of Police".	
	7	...	"of either kind".	
	"	...	"calendar".	
	10	...	"Magistrate" . . .	"District Magistrate".
	"	...	"of Police".	
II of 1863	2	...	"of this Act" (the first time the words occur).	
	3, 4, 5, 7, 8, 10, 11 and 13.	...	"of this Act" (each time the words occur).	

[a] See foot-note [b] on last preceding page.

[b] See foot-note [a] on last preceding page.

(*Schedule B.*)

SCHEDULE B—*continued.*

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Acts—contd.				
II of 1863—*contd.*	4, 5 and 11.	...	"calendar" (each time the word occurs).	
	5 and 11.	...	"collectorate or" (each time the words occur).	
	11	4	"collectorate"	"district".
	"	6	"collectorate" (each time the word occurs).	"district".
VII of 1863 .	6	...	"of this Act" (the first time the words occur).	
	7, 8, 9, 11, 12, 13 and 26.	...	"of this Act" (each time the words occur).	
	9	1 and 2	"collectorate or" (each time the words occur).	
	"	3, 4, 6 and 7	"collectorate" (each time the word occurs).	"district".
	"	8	"calendar".	
	"	9	"Revenue".	
	"	9	"of the division".	
	12	...	"or Sub-Collector".	
	20	2	"annexed".	
[*] VII of 1867	6	...	"full".	
	"	...	"Magistrate" . . .	"Magistrate of the first class".
	7	...	"all or any of the powers of a Magistrate."	"magisterial powers".
	8, 29 and 34.	...	"of this Act" (each time the words occur).	
	25, 26 and 29.	...	"of either kind" (each time the words occur).	
	34	...	"full-power Magistrate". .	"Magistrate of the first class".
	39	...	"calendar" (each time the word occurs).	
	44	...	"of Police" [b] (where the words first occur)[b].	
VIII of 1867 .	[c] 1	...	"Commissioner of Police".	
			"Act, 1867" . . .	"Acts, 1867 and 1890"[c].
	3, 4, 5, 15 and 18.	...	"of Police" (wherever in the said sections those words follow the word "Commissioner").	

[*] So much of Sch. B as relates to any section of Bom. Act VII of 1867 except s. 34 is repealed by Bom. Act IV of 1890 wherever that Act extends.

[b-b] These words were inserted by Act XVI of 1895.

[c-c] These entries were inserted by Bom. Act I of 1891, s. 2 (*a*) (*i*).

SCHEDULE B—*concluded.*

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Acts—concld.				
VIII of 1867—*contd.*	5 and 9	...	"Police" (in each place in which the word precedes the word "Commissioner").	
	18	...	"of this Act".	
V of 1878	3	3	"means, in Sindh, the Commissioner in Sindh, and elsewhere a Commissioner of land-revenue, or, if Government appoint any other officer to be a Commissioner for the purposes of this Act, such other officer".	"includes an officer appointed by Government to be a Commissioner for the purposes of this Act".
	3	4	"means a Collector of land-revenue or."	"includes".
	45 and 50	...	"of this Act" (each time the words occur).	

BOMBAY ACT No. IV OF 1886.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 10th November, 1886.*)

An Act to amend the Bombay Land-revenue Code, 1879.

Bom. V of 1879.

WHEREAS, for the purpose of assuring to holders of unalienated land the full advantage of all improvements in their holdings effected by them or at their cost, it is expedient to define more clearly the conditions affecting the revision of land-revenue assessments, and with this object to amend the Bombay Land-revenue Code, 1879; It is enacted as follows:—

Bom. V of 1879.

[NOTE.—The amendments made by this Act are incorporated in Bom. Act V of 1879 as printed on pp. 303 *et seq.* of Vol. II of this Code.]

BOMBAY ACT No V OF 1886[a].

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 28th January, 1887.*)

An Act to amend Bombay Act III of 1874.

WHEREAS it is expedient to amend the Bombay Hereditary Offices Act, 1874, in manner hereinafter appearing; It is enacted as follows:—

Bom. III of 1874.

ndment ction 5.

1. For section 5 of the said Act the following section shall be substituted (namely):—

[Printed in Vol. II of this Code, p. 194.]

[a] As to the local repeal and amendment of Bom. Act V of 1886, see Bom. Act VI of 1887, s. 3, *infra*.

SCHEDULE B—*concluded.*

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Acts—concld.				
VIII of 1867—*contd.*	5 and 9	...	"Police" (in each place in which the word precedes the word "Commissioner").	
	18	...	"of this Act".	
V of 1878	3	3	"means, in Sindh, the Commissioner in Sindh, and elsewhere a Commissioner of land-revenue, or, if Government appoint any other officer to be a Commissioner for the purposes of this Act, such other officer".	"includes an officer appointed by Government to be a Commissioner for the purposes of this Act".
	3	4	"means a Collector of land-revenue or."	"includes".
	45 and 50	...	"of this Act" (each time the words occur).	

BOMBAY ACT No. IV OF 1886.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 10th November, 1886.*)

An Act to amend the Bombay Land-revenue Code, 1879.

Bom. V of 1879.

WHEREAS, for the purpose of assuring to holders of unalienated land the full advantage of all improvements in their holdings effected by them or at their cost, it is expedient to define more clearly the conditions affecting the revision of land-revenue assessments, and with this object to amend the Bombay Land-revenue Code, 1879; It is enacted as follows:—

Bom. V of 1879.

[NOTE.—The amendments made by this Act are incorporated in Bom. Act V of 1879 as printed on pp. 303 *et seq.* of Vol. II of this Code.]

BOMBAY ACT No V OF 1886[a].

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 28th January, 1887.*)

An Act to amend Bombay Act III of 1874.

WHEREAS it is expedient to amend the Bombay Hereditary Offices Act, 1874, in manner hereinafter appearing; It is enacted as follows:—

Bom. III of 1874.

ndment ction 5.

1. For section 5 of the said Act the following section shall be substituted (namely):—

[Printed in Vol. II of this Code, p. 194.]

[a] As to the local repeal and amendment of Bom. Act V of 1886, see Bom. Act VI of 1887, s. 3, *infra*.

SCHEDULE B—*concluded.*

Enactment.			Words repealed.	Words, if any, substituted for the words repealed.
No. and year.	Section.	Clause.		
Acts—concld.				
VIII of 1867—*contd.*	5 and 9	...	"Police" (in each place in which the word precedes the word "Commissioner").	
	18	...	"of this Act".	
V of 1878	3	3	"means, in Sindh, the Commissioner in Sindh, and elsewhere a Commissioner of land-revenue, or, if Government appoint any other officer to be a Commissioner for the purposes of this Act, such other officer".	"includes an officer appointed by Government to be a Commissioner for the purposes of this Act".
	3	4	"means a Collector of land-revenue or."	"includes".
	45 and 50	...	"of this Act" (each time the words occur).	

BOMBAY ACT No. IV OF 1886.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 10th November, 1886.*)

An Act to amend the Bombay Land-revenue Code, 1879.

Bom. V of 1879.

WHEREAS, for the purpose of assuring to holders of unalienated land the full advantage of all improvements in their holdings effected by them or at their cost, it is expedient to define more clearly the conditions affecting the revision of land-revenue assessments, and with this object to amend the Bombay Land-revenue Code, 1879; It is enacted as follows:—

Bom. V of 1879.

[NOTE.—The amendments made by this Act are incorporated in Bom. Act V of 1879 as printed on pp. 303 *et seq.* of Vol. II of this Code.]

BOMBAY ACT No V OF 1886[a].

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 28th January, 1887.*)

An Act to amend Bombay Act III of 1874.

WHEREAS it is expedient to amend the Bombay Hereditary Offices Act, 1874, in manner hereinafter appearing; It is enacted as follows:—

Bom. III of 1874.

ndment ction 5.

1. For section 5 of the said Act the following section shall be substituted (namely):—

[Printed in Vol. II of this Code, p. 194.]

[a] As to the local repeal and amendment of Bom. Act V of 1886, see Bom. Act VI of 1887, s. 3, *infra*.

2. Every female member of a wátán family other than the widow of the last male owner, and every person claiming through a female, shall be postponed in the order of succession to any wátán, or part thereof, or interest therein, devolving by inheritance after the date when this Act comes into force to every male member of the family qualified to inherit such wátán, or part thereof, or interest therein. Female members to be postponed.

The interest of a widow in any wátán or part thereof shall be for the term of her life or until her marriage only. Widow's interest.

3. In section 10 of the said Act the words "or may pass" shall be inserted after the word "or have so passed". Amendment of section 10.

4. [*Repeal of portion of section 11.*] *Repealed by Act XVI of 1895.*

5. After section 11 of the said Act the following section shall be inserted, namely :— New section added after section 11.

[Printed in Vol. II of this Code, p. 197.]

6. In section 30 of the said Act the word "officiators" shall be substituted for the word "sharers". Amendment of section 30.

7. In section 35 of the said Act the words "notice or" shall be inserted after the word "which". Amendment of section 35.

8. For section 38 of the said Act the following section shall be substituted (namely) : — Amendment of section 38.

[Printed in Vol. II of this Code, p. 203.]

9. For section 45 of the said Act the following section shall be substituted (namely) :— Amendment of section 45.

[Printed in Vol. II of this Code, p. 204.]

10. For section 46 of the said Act the following shall be substituted (namely) :— New section substituted for section 46.

[Printed in Vol. II of this Code, p. 205.]

11. In section 50 of the said Act, the word "general" shall be substituted for the word "known". Amendment of section 50.

12. For section 53 of the said Act the following section shall be substituted (namely) :— New section substituted for section 53.

[Printed in Vol. II of this Code, p. 206.]

13. For section 60 of the same Act the following section shall be substituted (namely):— New section substituted for section 60.

[Printed in Vol. II of this Code, p. 207.]

New section substituted for section 70.

14. For section 70 of the said Act the following section shall be substituted (namely):—

[Printed in Vol. II of this Code, p. 210.]

Amendment of section 84.

15. (*1*) In section 84 of the said Act the following words shall be inserted after the word "purpose," *viz.*—

[Printed in Vol. II of this Code, p. 213.]

(*2*) And the following paragraph shall be added to the said section, *viz.*—

[Printed in Vol. II of this Code, p. 213.]

Addition of a new schedule.

16. The following schedule shall be added to the said Act (namely):—

[Printed in Vol. II of this Code, p. 214.]

THE KARACHI PORT TRUST ACT, 1886.

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I.—PRELIMINARY.

SECTIONS.

1. Short title.
2. Definitions.
3. Power to define and alter limits of port.

II.—OF THE BOARD OF TRUSTEES.

Constitution of Board.

4. Act to be carried out by trustees.
5. Number of trustees.
6. Appointment of chairman and vice-chairman.
7. Nomination of other trustees.
8. Conduct of elections.
   Nomination by Government in default of election.
9. Publication of names of trustees in the official Gazettes.
10. Term of office of first trustees when to commence.
11. Trustees to retire from office by rotation.
12. Time for holding elections and making appointments.
13. Filling up of casual vacancies.
    Acting trustees.
14. Re-eligibility of trustees.

New section substituted for section 70.

14. For section 70 of the said Act the following section shall be substituted (namely):—

[Printed in Vol. II of this Code, p. 210.]

Amendment of section 84.

15. (*1*) In section 84 of the said Act the following words shall be inserted after the word "purpose," *viz.*—

[Printed in Vol. II of this Code, p. 213.]

(*2*) And the following paragraph shall be added to the said section, *viz.*—

[Printed in Vol. II of this Code, p. 213.]

Addition of a new schedule.

16. The following schedule shall be added to the said Act (namely):—

[Printed in Vol. II of this Code, p. 214.]

THE KARACHI PORT TRUST ACT, 1886.

CONTENTS.

PREAMBLE.

I.—PRELIMINARY.

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12. Time for holding elections and making appointments.
13. Filling up of casual vacancies.
    Acting trustees.
14. Re-eligibility of trustees.

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But no new work to be commenced without a plan and estimate if its cost shall exceed ₹1,000; nor without the sanction of Government to such plan and estimate if the cost shall exceed ₹50,000.
30. Free landing-places to be provided.
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79. Government may order survey.
80. Government may carry out neglected works.
81. In default, Government may require Board to increase the rates; and, on Board's failing to do so, may itself increase them.
82. Government may revoke powers of Board.

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83. Saving of previous port regulations.
84. Recovery of dues as fines under Code of Criminal Procedure.
85. Trustees not personally liable.
86. Trustees liable for breach of trust.
87. Limitation of suits, etc.
88. Board not responsible for certain acts of their officers and servants.

SCHEDULE A.—PROPERTY VESTED IN THE BOARD.

SCHEDULE B.—LOANS BY THE KARÁCHI HARBOUR BOARD NOT YET DISCHARGED.

SCHEDULE C.—RECEIPTS FOR GOODS BY THE PORT TRUST, KARÁCHI.

BOMBAY ACT No. VI OF 1886.

(*The assent of the Governor General of India to this Act was first published by the Governor of Bombay on the 8th February, 1887.*)

An Act to vest the Port of Karáchi in a Trust.

Preamble. Whereas it is expedient to vest the port of Karáchi in a trust and to provide for the management of the affairs of the said port by trustees; It is enacted as follows:—

I.—PRELIMINARY.

Short title. **1.** This Act may be called the Karáchi Port Trust Act, 1886.

Definitions. **2.** In this Act, unless there be something repugnant in the subject or context,—

(1) "port" means the port of Karáchi as defined for the purposes of this Act;

(2) "high-water mark" means a line drawn through the highest points reached by ordinary spring-tides at any season of the year;

(3) "low-water mark" means a line drawn through the lowest points reached by ordinary spring-tides at any season of the year;

(4) "land" includes the bed of the sea below high-water mark, and also things attached to the earth or permanently fastened to anything attached to the earth;

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(4) "land" includes the bed of the sea below high-water mark, and also things attached to the earth or permanently fastened to anything attached to the earth;

(5) "master," when used in relation to any vessel, means any person having for the time being the charge or control of such vessel;

(6) the word "goods" includes wares and merchandise of every description;

(7) "owner," when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale or custody of such goods; and, when used in relation to any vessel, includes any part-owner, charterer, consignee or mortgagee in possession thereof.

Power to define and alter limits of port.

3. Government may, with the approval of the Governor General in Council, by notification in the Bombay Government Gazette—

(*a*) define the limits of the port for the purpose of this Act, and

(*b*) from time to time alter such limits.

Such limits may extend to any part of the navigable approaches to the port, and may include any wharves, tramways, warehouses, sheds and other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance and good government of the port, whether within or without high-water mark, and, subject to any rights of private property therein, any portion of the shore within fifty yards of high-water mark.

II.—Of the Board of Trustees.

Constitution of Board.

Act to be carried out by trustees.

4. The duty of carrying out the provisions of this Act shall, subject to such conditions and limitations as are hereinafter contained, be vested in a board to be called "The Trustees of the Port of Karáchi;" and such Board, hereinafter referred to as "the Board," shall be a body corporate and have perpetual succession and a common seal, and shall sue and be sued by the name first aforesaid.

Number of trustees.

5. The Board shall consist of nine members, of whom not less than two shall be natives of India residing in Karáchi.

Appointment of chairman and vice-chairman.

6. Government shall from time to time appoint a person to be chairman of the Board and may, if they think fit, from time to time appoint a person to be vice-chairman of the Board. Any person so appointed may be a public officer or not.

The chairman and, if any be appointed, the vice-chairman of the Board shall be trustees.

Nomination of other trustees.

7. Of the rest of the trustees, one shall be the Manager, for the time being, of the North-Western Railway, or such officer of the said Railway

as the said Manager shall from time to time appoint to act for him in this behalf, two shall be elected by the members for the time being of the Karáchi Chamber of Commerce, and two shall be elected by the municipal commissioners of Karáchi from among their own number.

The remaining trustees shall be appointed by Government.

Any trustee elected or appointed under this section may be a public officer or not.

Conduct of elections.

8. The election of trustees by the Karáchi Chamber of Commerce and by the municipal commissioners shall be conducted in such manner as shall from time to time be determined at a meeting of the members of the said Chamber or of the said commissioners, as the case may be, convened in accordance with the rules at the time in force in this behalf. The Secretary to the said Chamber and the President of the Municipality of Karáchi shall, respectively, make a return to the Commissioner of the name of every person so elected.

Nomination by Government in default of election.

In the event of default being made by the Chamber or by the municipal commissioners in electing any trustee under the foregoing provisions within the period hereinafter prescribed in this behalf, it shall be lawful for Government to appoint a person, and the person so appointed shall be deemed to be a trustee as if he had been duly elected by the Chamber, or municipal commissioners, as the case may be.

Publication of names of trustees in the official Gazettes.

9. The name of every person appointed by Government to be chairman or vice-chairman of the Board, and the names of all trustees duly elected or appointed to the Board, shall be published in the Bombay Government Gazette and in the Sindh Official Gazette.

Term of office of first trustees when to commence.

10. The term of office of the first trustees shall commence on such date as shall be notified in this behalf by Government.

Trustees to retire from office by rotation.

11. One of the first trustees elected by the Chamber and one of the first trustees, other than the chairman, appointed by Government shall, unless they become in the meantime disqualified, hold office up to and inclusive of the thirty-first day of March next succeeding the date on which their term of office shall commence, the selection of the said trustees being made by lot at such time and in such manner as the chairman of the Board shall determine.

The rest of the first trustees, other than the chairman, shall, unless they become in the meantime disqualified, hold office until and inclusive of the thirty-first day of March next following the thirty-first day of March aforesaid.

In every other case every trustee, other than the chairman, shall, unless he becomes in the meantime disqualified, hold office for a term of two years.

The chairman shall hold office for a renewable period of five years, unless he becomes in the meantime disqualified for being a trustee, or is removed by Government.

Time for holding elections and making appointments.

12. The first election of trustees by the Chamber and by the municipal commissioners shall be held on some day not later than a month previous to the date which shall be notified by Government under section 10, and the first appointment of trustees by Government shall be made on some day during the said month.

Elections of trustees by the chamber and by the municipal commissioners to succeed trustees whose term of office expires shall be held on some day not earlier than the fifteenth and not later than the last day of the month of February next preceding the first day of April from which the term of office of the new trustees is to commence; and appointments of such trustees by Government shall be made on some day in the month of March next preceding the said first day of April.

Filling up of casual vacancies.

13. In the event of the death, resignation or disqualification of a trustee or of his becoming incapable of acting previous to the expiry of his term of office, the vacancy shall be filled up, as soon as it conveniently may be, by the election or appointment, as the case may be, of a person thereto, who shall hold office so long only as the trustee in whose place he is elected or appointed would have been entitled to hold it if the vacancy had not occurred.

Acting trustees.

If a trustee departs from Karáchi with an intention of being absent for a longer period than three months, or if a trustee shall have been absent from Karáchi for such period, a person shall be elected or appointed as aforesaid to act for such trustee during his absence, or until he shall cease to be a trustee; and the person so acting shall be deemed for all the purposes of this Act to be a trustee.

Re-eligibility of trustees.

14. A person who has already been a trustee on one or more occasions shall, if not disqualified under section 15, be again eligible at any time for election or appointment.

Disqualifications of Trustees.

Disqualifications for office of trustee.

15. No person shall be qualified to be a trustee—

(*a*) who, under any law for the time being in force, is an uncertificated bankrupt or an undischarged insolvent, or

(*b*) who holds any office or place of profit under the Board, or

(*c*) who has, directly or indirectly, any share or interest in any work done by order of the Board, or in any contract or employment with, by or on behalf of the Board; or

(*d*) who has been sentenced by a Criminal Court to imprisonment or to whipping for an offence punishable with imprisonment for a term

exceeding six months, or to transportation, such sentence not having been subsequently reversed or quashed, and whose disqualification on account of such sentence has not been removed by an order, which Government is hereby empowered to make, if it shall think fit, in this behalf;

and any trustee who—

Trustee who becomes disqualified to cease to be trustee.

(*e*) becomes disqualified for any of the aforesaid reasons, or

(*f*) is absent from the meetings of the Board for a period exceeding twelve consecutive months, or, without the permission of the Board, from six consecutive meetings of the Board,

shall cease to be a trustee, and his office shall thereupon become vacant:

Proviso.

Provided always that no trustee shall vacate his office by reason only of his—

(*g*) having a share in any joint-stock company which shall contract with, or be employed by, or on behalf of, the Board, or

(*h*) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Board may be inserted, or

(*i*) being interested in any loan of money to the Board.

Remuneration of Trustees.

Remuneration of chairman and vice-chairman to be fixed by Government.

16. The chairman and the vice-chairman shall respectively receive such remuneration, if any, as Government shall from time to time determine.

Fees payable to other trustees.

Every trustee, other than the chairman and vice-chairman, shall be entitled to a fee of such amount not exceeding thirty rupees as shall from time to time be prescribed by Government for each meeting of the Board at which a quorum is present and business is transacted and which he attends from the beginning to the end thereof: Provided that, if more than one such meeting is held in any one week, no more than one fee shall be paid to any trustee for his attendance at all or any such meetings during that one week.

Proceedings of Board.

Provisions concerning the Board's proceedings.

17. The following provisions shall be observed with respect to the proceedings of the Board (namely):—

Vacancy not to affect Board's proceedings.

(1) During any vacancy in the Board the continuing trustees may act as if no vacancy had occurred.

Board to meet together and arrange for transaction of business.

(2) The Board shall meet together and shall from time to time make such arrangements, not inconsistent with this Act, with respect to the place, day, hour, notice, management and adjournment of such meetings, and generally

with respect to the transaction of business, as they think fit, subject to the following conditions (namely) :—

(*a*) that two ordinary meetings at least shall be held in every month; — Two ordinary meetings in each month.

(*b*) that the chairman may, whenever he thinks fit, and shall, upon the written request of not less than three trustees, call a special meeting; — Special meetings.

(*c*) that no business shall be transacted at any meeting unless at least four trustees are present from the beginning to the end of such meeting; — Quorum.

(*d*) that every meeting shall be presided over by the chairman, if he is present at the time appointed for holding the same, and, if he is absent, by the vice-chairman or, in his absence, by such one of the trustees present as may be chosen by the meeting; — Meeting to be presided over by the chairman.

(*e*) that all questions shall be decided by a majority of votes of the trustees present, the president having a second or casting vote in all cases of equality of votes; — Questions to be decided by a majority of votes.

(*f*) that, if a poll be demanded, the names of the trustees voting and the nature of their votes shall be recorded by the president; — Votes to be recorded if a poll is demanded.

(*g*) that minutes shall be kept of the names of the trustees present and of the proceedings at each meeting in a book to be provided for this purpose, which shall be signed, as soon as practicable, by the president of such meeting, and shall be open to inspection by any trustee during office hours. — Minutes of proceedings.

(3) The Board may delegate any of their powers to committees consisting of such trustees as they think fit; any committee so formed shall conform to any instructions that may from time to time be given to them by the Board, and the Board may at any time discontinue or alter the constitution of any committee so formed. — Board may delegate powers to committees.

(4) A committee may elect a chairman of their meetings, and, if no such chairman is elected, or, if he is not present at the time appointed for holding the same, the members present shall choose one of their number to be chairman of such meeting. — Committees' meetings to be presided over by a chairman.

(5) Committees may meet and adjourn as they think proper, but the chairman of the Board may, whenever he thinks fit, and shall, upon the written request of not less than two members of a committee, call a special meeting of such committee. — Meetings of committees.

Questions how to be decided at committees meetings.

(6) Questions at any meeting of a committee shall be decided by a majority of votes of the members present, and, in case of an equal division of votes, the chairman of the meeting shall have a second or casting vote, but no business shall be transacted at any such meeting unless at least two-thirds of the members of the committee are present from the beginning to the end thereof.

Acts of Board, etc., not to be invalidated by informalities.

(7) No act of the Board, or of any committee, or of any person acting as trustee, shall be deemed to be invalid by reason only of some defect in the appointment of such Board, committee or trustee, or on the ground that they, or any of them, were disqualified for the office of trustee.

Mode of executing contracts.

18. The chairman may, on behalf of the Board, enter into any contract or agreement, whereof the value or amount shall not exceed one thousand rupees, in such manner and form as, according to the law for the time being in force, would bind him if such contract or agreement were on his own behalf; but every other contract and agreement on behalf of the Board shall be in writing and shall be signed by the chairman and by two other trustees, and shall be sealed with the common seal of the Board.

No contract or agreement not executed as aforesaid shall be binding on the Board:

Provided that the signatures of the chairman and two other trustees may be engraved, lithographed or impressed by any mechanical process on coupons attached to debentures which the Board is at any time authorized to issue under the Local Authorities Loan Act, 1879[*], or other law for the time being in force, and the signatures so engraved, lithographed or impressed shall have the same validity as if they were written in the proper handwriting of the chairman and other trustees. XI of 1879.

Board may compound for claims against them.

19. The Board may compound or compromise for or in respect of any claim or demand made against them, for such sum of money, or other compensation, as they shall deem sufficient.

The Chairman and Vice-Chairman.

Duties of chairman, and

20. The chairman shall—

(1) attend every meeting of the Board, unless prevented by sickness or other reasonable cause;

(2) exercise supervision and control over the acts and proceedings of all officers and servants of the Board in matters of executive administration and in matters concerning the accounts and records of the

[*] Printed, General Acts, 1877-81, Ed. 1884, p. 335

Board; and, subject to the regulations at the time being in force framed by the Board under section 22, dispose of all questions relating to the service of the said officers and servants, and their pay, privileges and allowances;

(3) furnish to Government a copy of the minutes of any of the Board's proceedings and any returns or other information which Government may from time to time call for.

of vice-chairman.

The vice-chairman shall exercise such of the powers and perform such of the duties of the chairman as the chairman from time to time deputes to him.

III.—Of the Officers and Servants of the Board.

Strength of Staff.

Schedule of officers and servants and of their pay and allowances to be prepared and sanctioned by the Board.

21. The Board shall from time to time prepare and sanction a schedule of the staff of officers and servants whom they shall deem it necessary and proper to maintain for the purposes of this Act. Such schedule shall also set forth the amount and nature of the salaries, fees and allowances which the Board sanctions for each such officer or servant.

Until a schedule is prepared and sanctioned under this section, the staff of officers and servants maintained, on the day previous to the date notified by the Governor in Council under section 10, under the authority of Government, by the Karáchi Harbour Board and the officers and servants, if any, maintained on the said day by Government at the cost of the provincial revenues for employment in the Karáchi harbour shall be deemed to be the staff sanctioned by the Board under the foregoing provisions;

and all officers and servants holding any office on the said day under the said Karáchi Harbour Board and the officers and servants aforesaid, if any, so maintained by Government on the said day shall be deemed to have been appointed under this Act, and shall continue to hold the same offices, respectively, and to receive the same remuneration under the Board, until it is otherwise directed under this Act:

Provisos.

Provided—

(1) that artisans, porters and labourers and mukaddams of porters and labourers, and persons temporarily employed in the engineering department, shall not be deemed to be officers or servants within the meaning of this section or of section 22, clauses (1) to (4), both inclusive, or of section 23;

(2) that, if an officer is lent to the Board by Government, the Board shall make such contributions, if any, on account of his pension and

leave-allowances as may be required by the rules in this behalf from time to time in force and shall not, except with the consent of Government, dispense with his further services at any time without giving the Government six months' previous notice;

(3) that every officer and servant, if any, maintained by Government on the day aforesaid at the cost of the provincial revenues for employment in the Karáchi harbour shall, if he is entitled as a Government servant to pension and leave-allowances, be deemed to be lent to the Board on and from the date notified by the Governor in Council under section 10.

Board to frame regulations—

22. The Board shall from time to time frame regulations—

for regulating leave;

(1) for regulating the grant of leave to the officers and servants of the Board;

for settling absentee allowances;

(2) for authorizing the payment of allowances to the said officers and servants, or to certain of them, whilst absent on leave;

for fixing acting allowances;

(3) for determining the remuneration to be paid to the persons appointed to act for any such officers or servants during their absence on leave;

for regulating length of service

(4) for regulating the period of service of all such officers and servants;

for fixing pensions, etc.;

(5) for determining whether any of the said officers and servants, and, if so, which of them, shall on retirement receive pensions, gratuities or compassionate allowances, and whether compassionate allowances shall be paid to the surviving relatives of any of the said officers and servants who are killed in the execution of their duty, and, if so, to which of them, and the conditions under which such pensions, gratuities or compassionate allowances shall be payable and the amount of the same;

for authorizing contributions to provident fund.

(6) for authorizing the payment of contributions at certain prescribed rates and subject to certain prescribed conditions to any provident fund which may be established by the Board for the benefit of their officers and servants or which, with their approval, may be established by their officers and servants themselves:

Provided that no regulation framed by the Board under clause (5) shall have validity unless or until the same has been sanctioned by Government.

Powers of Appointment, etc.

Appointments, etc., by whom to be made.

23. Subject to the provisions of the said regulations and of the schedule for the time being in force framed by the Board under section 21, the power of appointing, promoting, suspending, dismissing for misconduct, fining, reduc-

ing or granting leave to the officers and servants of the Board shall be exercised by the chairman in the case of officers and servants whose monthly salary does not exceed one hundred rupees, and in every other case by the Board.

An appointment so made by the Board shall not be held to be a contract or agreement within the meaning of section 18.

The power of dispensing with the services of any officer or servant of the Board, otherwise than by reason of such officer's or servant's own misconduct, or of permitting any such officer or servant to retire on a pension, gratuity or compassionate allowance, shall, subject to the aforesaid provisions, be exercised by the Board alone.

Every order of the chairman dismissing for misconduct an officer or servant whose monthly salary exceeds thirty rupees shall be subject to the approval of the Board.

Sanction of Commissioner when necessary.

24. Every order or regulation made by the Board under any of the three last preceding sections shall, so far as the same relates to any officer whose monthly salary is three hundred rupees or more, be subject to the previous sanction of the Commissioner.

IV.—Of the Property and Liabilities of the Board.

General Powers as to Property.

Powers of Board as to property.

25. The Board shall, for the purposes of this Act, have power to acquire and hold moveable and immoveable property whether within or without the limits of the port or city of Karáchi; and shall also have power to lease, sell or otherwise convey any moveable or immoveable property which may have become vested in or been acquired by them:

Provided that no sale of immoveable property and no lease of any such property for a term exceeding twenty-one years shall be valid unless such sale or lease shall have been made with the previous sanction of Government.

Procedure to be observed when the Board are unable to acquire, by agreement, any immoveable property.

26. When the Board are unable to acquire, by agreement, any immoveable property required for the purposes of this Act, Government may, in their discretion, order proceedings to be taken for acquiring the same on behalf of the Board, as if such property were land needed for a public purpose within the meaning of the Land Acquisition Act, 1894 [*].

I of 1894.

[*] The reference to Act X of 1870 is altered in accordance with Act I of 1894, s. 2.

The amount of compensation awarded and all other charges incurred in the acquisition of any such property shall be forthwith defrayed by the Board; and thereupon the said property shall vest in the Board.

Transfer of Government property to the Board.

27. The property specified in Schedule A shall, upon and after the date notified by Government under section 10, vest in the Board:

Provided that—

(1) if any question arises between the Government and the Board as to the boundaries of any portion of such property, Government may define and demarcate such boundaries, and the decision of Government in respect to such boundaries, when approved by the Governor General in Council, shall be conclusive;

(2) any portion of the land specified in the said schedule which shall be required by Government for a public purpose may be resumed by Government, with the approval of the Governor General in Council, without claim to compensation on the part of the Board, except for buildings or other permanent structures erected thereon:

(3) the railway now under construction between the Bandar station and the Keamári station may be constructed by Government along the foreshore or on reclaimed land, and any other work which the Governor General in Council may consider necessary in the public interests may be executed by Government in or upon any of the property specified in the said schedule, without claim to compensation on the part of the Board except for building or other permanent structures which it shall be necessary to clear away for the purposes of such railway or work.

Transfer to the Board of the Karáchi Harbour Board's liabilities and claims.

28. The loans specified in Schedule B, which have been contracted by the Karáchi Harbour Board and have not yet been discharged, and all other debts and obligations incurred, all contracts entered into, and all matters and things engaged to be done by, with or for the Karáchi Harbour Board, shall be deemed to have been incurred, entered into or engaged to be done by, with or for the Board;

and all sums of money due to the said Karáchi Harbour Board shall be deemed to be due to the Board;

and all suits or other legal proceedings, civil or criminal, instituted, or which might, but for the passing of this Act, have been instituted, by or against the said Karáchi Harbour Board, may be continued or instituted by or against the Board.

V.—Of the Powers and Duties of the Board.

Works.

Works to be constructed.

29. The works to be constructed and carried out by the Board may include the following :—

(1) wharves, quays, stages, jetties, piers and docks, with all necessary and convenient arches, drains, landing-places, stairs, fences, roads, railways and approaches ;

(2) tramways, warehouses, sheds, engines, and other appliances for conveying, receiving and storing goods landed, or to be shipped, or otherwise ;

(3) light-houses, light-ships, beacons, pilot-boats, and other appliances necessary for the safe navigation of the port and of the approaches thereto within a distance of three miles from the limits of the port ;

(4) laying down moorings, and the erection of cranes, scales, and all means and appliances necessary for berthing, loading and unloading vessels ;

(5) reclaiming, excavating, enclosing and raising any part of the foreshore of the port vested in the Board ;

(6) the construction, procuring and application of dredges and other machines for cleaning, deepening and improving any portion of the port or foreshore aforesaid ;

(7) procuring and employing steam-vessels for towing vessels into, out of or within the port ;

(8) the construction of such works, without the limits of the port, as shall be necessary for the protection of works executed by the Board within the port, and all such other works and appliances as may, in the opinion of the Board, be necessary or desirable for carrying out the purposes of this Act :

But no new work to be commenced without a plan and estimate if its cost shall exceed Rs. 1,000 ; nor without the sanction of Government to such plan and estimate if the cost shall exceed Rs. 50,000.

Provided always that no new work, the estimated cost of which exceeds one thousand rupees, shall be commenced by the Board, nor shall any contract be entered into by the Board in respect of any such new work, until a plan and estimate of such work shall have been submitted to the Board and considered and approved by them ; nor shall any new work, the estimated cost of which exceeds fifty thousand rupees, be commenced until such plan and estimate shall have been submitted to, and approved by, Government.

Free landing-places to be provided.

30. The Board shall provide such number of public landing-places as shall, in the opinion of the Commissioner, be sufficient, from and upon which the public shall be permitted to embark and to land free of charge.

Removal of bathing and landing places.

31. The Board may occupy or remove or alter any bathing-place or landing-place within the port, and prohibit the public from resorting to or using the same: Provided that the Board shall provide for the use of the public such other bathing-places or landing-places, if any, as the Commissioner may direct.

Landing and Shipping of Goods.

Appliances for shipping, etc., for seagoing vessels.

32. The Board shall, so far as the funds at their disposal will allow, provide and maintain wharves, quays, stages, jetties, piers, warehouses, sheds and appliances for the expeditious and convenient shipment and landing of goods in and from seagoing vessels within the port and for the storing of such goods, and shall by their servants land and ship all goods from and in any such vessel coming to any such wharf, quay, stage, jetty or pier, except where there is a lawful excuse for refusing to land or ship such goods, or such vessel is, under any enactment for the time being in force, not entitled to have her cargo shipped or discharged:

Provided that—

(1) the Board shall not be bound to land, ship or move any single article or package exceeding ten tons of twenty hundredweight in weight, except at such special charge as may be agreed on in respect of such article or package;

(2) the Board may, by special agreement with the masters of vessels or the owners of goods, permit goods to be landed and shipped by others than the servants of the Board; but every such permission shall be subject to the condition that the means to be employed and the appliances to be used by the said masters or owners for landing or shipping goods shall be subject to the approval of the Board, whose duty it shall be to satisfy themselves that the said means and appliances are at all times such and in such condition as not to endanger the lives or safety of the persons employed.

Seagoing vessels compelled to use wharves, etc.

33. When any wharf, quay, stage, jetty or pier has been made and completed, with sufficient warehouses, sheds and appliances for landing or for shipping goods from and in seagoing vessels, the Board may, with the previous sanction of the Commissioner, by a notification published in three consecutive numbers of the Sindh Official Gazette, declare that such wharf, quay, stage, jetty or pier is ready for receiving, landing and shipping, or for landing or for shipping, as the case may be, goods from and in seagoing vessels.

From and after such publication, the Board may from time to time, when there is room at such wharf, quay, stage, jetty or pier, order to come alongside of such wharf, quay, stage, jetty or pier, for the purpose of

landing and shipping goods, or for landing or for shipping the same, as the case may be, any seagoing vessel within the port which has not commenced to discharge cargo, or which, being about to take in cargo, has not commenced to do so. In making such order the Board shall have regard, as far as possible, to the convenience of such vessel, and of the shippers, in respect of the use of any particular wharf, quay, stage, jetty or pier.

If accommodation sufficient, all seagoing vessels compelled to use wharves, etc.

34. When a sufficient number of wharves, quays, stages, jetties, piers, warehouses, sheds and appliances have been provided as aforesaid, the Board may, with the previous sanction of the Commissioner, by an order published in three consecutive numbers of the Sindh Official Gazette, direct that no goods shall be landed or shipped from or in any seagoing vessel within the port, save at such wharves, quays, stages, jetties and piers, and may, in like manner, alter, vary or revoke any such order: Provided that it shall be competent to the Board at any time to exempt any specified vessel from the operation of any order made under this section.

Power to order vessels not to come alongside of, or to be removed from, wharves, etc.

35. The Board may, in cases of emergency, or for any reason which appears to them sufficient, by notice in writing, order the master or owner of any vessel not to bring such vessel alongside of, or to remove such vessel from, any wharf, quay, stage, jetty or pier belonging to the Board, and, if such notice is not obeyed, the Board may charge in respect of such vessel such sum as they think fit, not exceeding one hundred rupees for each day of twenty-four hours, or portion of such day, during which such vessel remains at such wharf, quay, stage, jetty or pier:

Provided that, in the case of a vessel ordered to be removed, such charge shall not commence to be made till after the expiry of thirty-six hours from the service of the Board's notice on the master or owner of the vessel.

Power to Commissioner to exempt from obligation to use wharves, etc.; and

36. Notwithstanding anything contained in sections 33 and 34, the Commissioner may, by notification in the Sindh Official Gazette, from time to time permit certain specified vessels or classes of vessels to discharge or ship cargo, or certain specified cargo or classes of cargo, at such part of the port, in such manner, during such period, subject to such payments and on such conditions as he may think fit, and otherwise grant exemption from the provisions of such sections.

The Commissioner may also, by like notification, cancel or modify any such notification.

to require preference to be given to Govern-

The Commissioner may also at any time require that any vessel belonging to or in the service of Her Majesty or the Government of India shall be permitted to come alongside of any wharf, quay, stage, jetty or pier belonging to

ment vessels.

the Board in preference to all other vessels at the time in port: and it shall be incumbent on the Board to give effect to any such requisition.

Discharge of liability on goods landed.

37. Whenever any goods are landed by the Board from any vessel, the Board shall, if so required, give to the master of such vessel a receipt in the form or to the effect set forth in Schedule C, and may in any such receipt include all goods landed from such vessel during one day.

No master or owner of a vessel from which the goods in respect of which such receipt is given may have been landed shall be liable for any loss or damage to such goods which may occur after they have been so landed.

Customs-wharves, etc.

Accommodation to be provided for customs-officers in wharves, etc., appointed under Sea-Customs Act.

38. When Government appoint, under the provisions of any Act for the levy of sea-customs duties, any wharf, quay, stage, jetty, pier, warehouse or shed provided under this Act for the use of seagoing vessels to be a wharf for the landing or shipping, or a warehouse for the storing of goods within the meaning of such Act, the Board shall set apart, maintain and secure on or in such wharf, quay, stage, jetty, pier, warehouse or shed such portion thereof or place therein, or adjoining thereto, for the use of the officers of customs as the Commissioner approves or appoints in that behalf.

Dues at customs-wharves, etc.

39. Notwithstanding that any wharf, quay, stage, jetty, pier, warehouse or shed or portion thereof has, under the provisions of the last section, been set apart for the use of the officers of customs, all dues, rates, tolls, charges and rents payable under this Act in respect thereof, or for the use thereof, or for the stowage of goods therein, shall be paid and be payable to the Board or to such persons as they may appoint to receive the same.

Erection of Wharves, etc., by private persons.

Private wharves, etc., prohibited.

40. Save as hereinafter provided, no person except the Board shall make, erect or fix below high-water-mark within the port any wharf, dock, quay, stage, jetty, pier, erection or mooring.

Any matter or thing so made, erected or fixed may be removed by the Board, and the person who has so made, erected or fixed any such matter or thing shall be punished with fine, which may extend to one thousand rupees, and with a further fine which may extend to one hundred rupees for every day during which such matter or thing has been permitted to remain so made, erected or fixed after notice to remove the same has been given to him, and shall also be liable to pay all expenses which may have been incurred by the Board in removing such matter or thing.

Power to permit erection of private wharves, etc., within the port subject to conditions.

41. The Board may, by an order in writing and subject to the conditions contained in the same, permit any person to make, erect or fix below high-water-mark within the port any wharf, dock, quay, stage, jetty, pier, erection or mooring.

Wharves, etc., beyond port limits.

42. In case any wharf, dock, quay, stage, jetty, pier, erection or mooring is, after the date on which this Act comes into force, without the written consent of Government, made, erected or fixed below high-water mark without the limits for the time being of the port, and thereafter the limits of the port are extended so as to include the place in which such wharf, dock, quay, stage, jetty, pier, erection or mooring has been made, erected or fixed, the Board may remove, fill up or destroy such wharf, dock, quay, stage, jetty, pier, erection or mooring without making any compensation therefor.

Rates.

Scale of tolls and charges to be framed.

43. The Board shall frame and may from time to time alter—

(*a*) a scale of tolls, dues, rates and charges for the landing and shipment of goods at the wharves, quays, stages, jetties and piers, and for the use of such wharves, quays, stages, jetties and piers, and for the storing and keeping of any goods stored in any premises belonging to the Board, and for the removal of goods and for the use of any mooring;

(*b*) a scale of tolls for the use of the said wharves, quays, moorings, stages, jetties and piers, in case the Board permit the goods to be landed or shipped by others than their own servants; and

(*c*) a scale of charges for any services to be performed by the Board or their servants in respect of any vessel or goods, or for the use of any works or appliances to be provided by the Board.

Such scales or altered scales shall be submitted through the Commissioner to Government, and, after approval or modification by Government, shall be published in the Bombay Government Gazette and the Sindh Official Gazette, and shall thereupon have the force of law: Provided that no such scale or altered scale shall be approved or modified by Government until a draft of the same and a notice specifying a date at or after which the draft will be submitted to Government shall have been published in the Sindh Official Gazette and in such other manner as Government from time to time prescribe.

From the time when any scale[a] framed under this section comes into force the Bombay Landing and Wharfage Fees Act, 1882 [b], shall be repealed so far as regards the port of Karáchi. Bom. VII of 1882.

Tolls and charges may be remitted in special cases.

44. The Board may, in special cases, with the previous sanction of Government, remit the whole or any portion of any toll, due, rate or charge leviable under the last preceding section.

Tolls on troops.

45. The tolls, dues, rates and charges prescribed under section 43 shall not be leviable in respect of any vessel employed by Government solely for the transport of troops nor in respect of the baggage or other effects of any troops landing or embarking at the port.

In lieu thereof, a toll shall be payable by Government to the Board on all troops and all the families of troops landing or embarking at Karáchi, at the rate of one rupee per head.

Board's lien for tolls and charges.

46. For the amount of all tolls, dues, rates and charges leviable under this Act in respect of any goods, the Board shall have a lien on such goods, and shall be entitled to seize and detain the same until such tolls, dues, rates and charges are fully paid.

Tolls, dues, rates and charges in respect of goods to be landed shall become payable immediately on the landing of the goods, and, in respect of goods to be removed from the premises of the Board or to be shipped for export, shall be payable before the goods are removed or shipped.

The lien for such tolls, dues, rates and charges shall have priority over all other liens and claims, except a lien for freight, primage and general average, where such lien has been preserved in the manner hereinafter provided, and a lien for money payable to Her Majesty or the Secretary of State for India in Council under any law for the time being in force.

Owner's lien for freight.

47. If the master or owner of any vessel, at or before the time of landing from such vessel of any goods at any wharf, quay, stage, jetty or pier, gives to the Board notice in writing that such goods are to remain subject to a lien for freight, primage or general average of an amount to be mentioned in such notice, such goods shall continue liable, after the landing thereof, to such lien.

Such goods shall be retained either in the warehouses and sheds of the Board, or, with the consent of the Chief Officer of Customs, in a public warehouse, at the risk and expense of the owner of the said goods, until the lien is discharged as hereinafter mentioned.

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[a] See Notification No. 75, dated 30th October, 1888, in Bombay Government Gazette, 1888, Pt. I, p. 858, and later notifications.

[b] Printed *supra*, p. 5.

Discharge of ship-owner's lien for freight.

48. Upon the production to any officer appointed by the Board in that behalf of a document purporting to be a receipt for, or a release from, the amount of such lien, executed by the person by or on whose behalf such notice has been given, the Board may permit such goods to be removed without regard to such lien: Provided they shall have used reasonable care in respect to the authenticity of such document.

Goods may be removed to ware-house.

49. Whenever goods which have been landed have, without any default on the part of the Board, been left for five clear days on or in any wharf or shed belonging to the Board, the Board may cause such goods to be removed either to any warehouse belonging to them, or, with the consent of the Chief Officer of Customs, to a public warehouse; and the removal to and detention in any such warehouse shall be at the risk and expense of the owner of th said goods.

Whenever any goods are so removed, the Board shall give notice of such removal to the consignee of such goods or to his agent, if any, if such consignee's or agent's address be known, by letter sent by post to such address or left thereat; and shall also publish in the Sindh Official Gazette and in two local newspapers notice of such removal, and shall specify therein the numbers, marks and descriptions of such goods so far as the same appear; and the consignee of such goods, in addition to the expenses of the removal of the same, shall be liable, in case the goods are removed to any warehouse of the Board, to a charge for warehousing for the time during which the goods shall remain in the said warehouse.

If the goods are removed to a public warehouse, the said consignee shall be liable to the charges for warehousing goods in such public warehouse; and the said goods shall remain subject to all liens to which they would have been liable if they had remained in the possession of the Board and shall be subject to the power of sale hereinafter given.

Recovery of tolls and charges by sale of goods.

50. If the tolls, dues, rates and charges payable to the Board under this Act in respect of any goods which have been landed are not paid, or if the lien for freight, primage or general average, where such notice as aforesaid has been given, is not discharged, the Board may, and in the latter event, if required by or on behalf of the person claiming such lien for freight, primage or general average, shall, at the expiration of four months from the time when the goods were placed in their custody, sell by public auction the said goods, or so much thereof as may be necessary to satisfy the amounts hereinafter directed to be paid out of the produce of such sale.

Before making such sale at least ten days' notice of the same shall be given by publication thereof in the Sindh Official Gazette and in two local newspapers.

If the address of the consignee of the goods or of his agent has been stated on the manifest of the cargo, or in any of the documents which have come into the hands of the Board, or is otherwise known, notice shall also be given to the consignee of the goods or to his agent by letter delivered at such address or sent by post; but the title of a *bonâ fide* purchaser of such goods shall not be invalidated by reason of the omission to send such notice, nor shall any such purchaser be bound to enquire whether such notice has been sent:

Provided that, if such goods are of so perishable a nature as, in the opinion of the officer appointed by the Board in that behalf, to render early or immediate sale necessary or advisable, the Board may, within such period, being not less than twenty-four hours after the landing of the goods, as they think fit, sell by public auction the said goods or such portion of them as aforesaid, in which event such notice, if any, shall be given to the consignee of the goods or his agent as the urgency of the case admits of.

Application of sale-proceeds.

51. The proceeds of every such sale shall be applied as follows:—

(*a*) in payment of the expenses of the sale;

(*b*) in payment, according to their respective priorities, of the liens and claims excepted in section 46 from the priority of the lien of the Board;

(*c*) in payment of the tolls, dues, rates and charges of landing, removing, storing or warehousing the same, and of all other charges due to the Board in respect thereof.

The surplus, if any, shall be paid to the importer or owner of the goods, or to his agent, on his applying for the same: Provided such application be made within one year from the sale, or reason be shown to the satisfaction of the Board why such application was not so made, and, in case such application shall not be so made nor reason shown, such surplus shall be held by the Board upon trust for the purposes of this Act.

Power to distrain vessels for the non-payment of rates, etc.

52. If the master of any vessel in respect of which any tolls, dues, rates, charges or penalties shall be payable under this Act, or any bye-laws made in pursuance hereof, refuses or neglects to pay the same, or any part thereof, on demand, it shall be lawful for the Board to distrain or arrest of their own authority such vessel, and the tackle, apparel or furniture belonging thereto,

or any part thereof, and detain the same until the amount so due shall be paid.

And, in case any part of the said rates or penalties, or of the costs of the distress or arrest or of the keeping of the same, shall remain unpaid for the space of fifteen days next after any such distress or arrest shall have been so made, the Board may cause the vessel, or other thing so distrained or arrested, to be sold, and with the proceeds of such sale may satisfy such tolls, dues, rates, charges or penalties and costs of sale remaining unpaid, rendering the surplus, if any, to the master of such vessel on demand.

Port-clearance not to be granted till rates, etc., paid.

53. If the Board shall give to the officer of Government, whose duty it is to grant the port-clearance of any vessel, a notice stating that an amount therein specified is due in respect of tolls, dues, rates, charges or penalties chargeable under this Act, or any bye-laws or orders made in pursuance hereof, against such vessel or the owner or master of such vessel, in respect thereof, such officer shall not grant such port-clearance until the amount so chargeable shall have been paid.

Surplus of port-dues to be paid to board.

54. The surplus, if any, of the moneys credited under section 36 of the Indian Ports Act, 1889 [a], to the account of the Port Fund of Karáchi after defraying therefrom all expenses legally chargeable to the said account shall be paid to the Board.

X of 1889.

Control of Pilots.

Trustees to be vested with the right and privilege of maintaining pilots.

55. The Board shall have the right and privilege of maintaining pilots for the navigation of vessels at the port, and shall be bound to provide a sufficient number of pilots for that purpose, and all fees for pilotage shall be paid to the Board: Provided that no person shall be appointed to be a pilot by the Board who is not for the time being authorized by Government, under the provisions of the Indian Ports Act, 1889 [b], to pilot vessels.

X of 1889.

The Board may also, from time to time, make such bye-laws and regulations as they shall think fit—

(*a*) for fixing and regulating the wages and allowances for pilotage to be received by pilots, and

(*b*) for regulating the behaviour and conduct of pilots;

and shall enforce the observance of such bye-laws and regulations by the imposition of pecuniary penalties not exceeding two hundred rupees for each offence, or by suspension, or deprivation of appoint-

[a] The reference to s. 47 of Act XII of 1875 is altered in accordance with Act X of 1889, s. 2. (For Act X of 1889 see the revised edition, as modified up to 1st June, 1894, published by the Legislative Department.)

[b] The reference to Act XII of 1875 is altered in accordance with Act X of 1889, s. 2.

ment, or otherwise as to them may appear expedient: Provided that such bye-laws shall first have been approved by Government, and published in the manner directed by section 57.

Bye-laws.

Trustees empowered to make bye-laws.

56. The Board may from time to time make bye-laws, consistent with this Act and with the Indian Ports Act, 1889 [a]— X of 1889.

(*a*) for regulating, declaring and defining the wharves, quays, stages, jetties and piers on and from which goods shall be landed from and shipped in vessels within the port;

(*b*) for the safe and convenient use of such wharves, quays, stages, jetties, piers and of landing-places, tramways, warehouses, sheds and other works in and adjoining the same;

(*c*) for regulating the reception and removal of goods within and from the premises of the Board, and for declaring the procedure to be followed in taking charge of goods which may have been damaged before landing, or may be alleged to be so damaged;

(*d*) for settling the mode of payment of tolls, charges, dues and rates levied under this Act;

(*e*) for providing water for ships and for licensing and regulating water-boats within the port;

(*f*) for the removal of wrecks from the port and keeping clean the port, the foreshore and the works of the Board, and for preventing filth or rubbish being thrown therein or thereon;

(*g*) for the guidance of persons employed by them under this Act, and generally for carrying out the purposes of this Act.

The Board may also from time to time alter or revoke any bye-laws so made by them.

Approval and publication of bye-laws.

57. No bye-law, or alteration or revocation of a bye-law, shall have effect until the same shall have been approved by Government, and such approval shall have been published in the Bombay Government Gazette and in the Sindh Official Gazette; and no bye-law or alteration or revocation of a bye-law shall be approved by Government until a draft of the same and a notice specifying a date at or after which the draft will be submitted to Government shall have been published in the Sindh Official Gazette, and in such other manner as Government from time to time prescribe, nor unless the said draft shall have been submitted for their approval through the Commissioner.

[a] The reference to Act XII of 1875 is altered in accordance with Act X of 1889, s. 2. (For Act X of 1889 see the revised edition, as modified up to 1st June, 1894, published by the Legislative Department.)

Cancelment by Government.

It shall be lawful for Government at any time, by notification in the Bombay Government Gazette, and in the Sindh Official Gazette, to cancel any bye-law or regulation made and published under the provisions of this and of the two last preceding sections.

Penalties for infringement of bye-laws.

58. The Board may, in the bye-laws made under section 56, prescribe such penalties as they shall deem fit for the infringement of the same: Provided that no penalty for any one infringement of a bye-law shall exceed one hundred rupees, nor, in case of a continuing infringement, shall any penalty exceed fifty rupees per diem for every day after notice of such infringement shall have been given by the Board to the person guilty of such infringement.

Bye-laws and scales of rates and charges to be exhibited.

59. The Board shall cause the said bye-laws, and every scale of tolls, dues, rates and charges leviable by the Board, to be printed in the English, Gujarathi and Sindhi languages, and to be kept hung up in some conspicuous place at each of the several wharves, quays, stages, jetties, piers, warehouses and sheds belonging to the Board.

VI.—Of Revenue and Expenditure.

Management of Funds.

Moneys where to be kept.

60. All moneys raised by or paid to the Board under this Act shall be kept in the bank which is at the time appointed to conduct the business of Her Majesty's Treasury at Karachi.

How the funds are to be drawn against.

No disbursement of such moneys or any part thereof shall be made, except upon a cheque signed by the chairman or vice-chairman and one other trustee.

Payment of any sum in excess of five hundred rupees, if it relate to the Port Engineer's department, or of one hundred rupees if it relate to any other department, shall be made by the board by means of a cheque signed as aforesaid and not in any other way.

Payments of sums not exceeding five hundred rupees each may be made on behalf of the Board by the Port Engineer on account of any charge in his department, in cash, cheques for sums not in excess of five thousand rupees each, signed as aforesaid, being drawn from time to time in favour of the Port Engineer to cover such payments.

In every department other than that of the Port Engineer, sums not exceeding one hundred rupees each may be paid, by such officer as the Board appoints for this purpose, in cash, cheques for sums not in excess of five hundred rupees each, signed as aforesaid, being drawn from time to time in favour of such officer to cover such payments.

Moneys on what purposes to be expended.

61. The moneys belonging to the Board shall be held by them in trust, and, except as is hereinafter provided, shall be applied by them in payment of the following charges (namely) :—

(1) the salaries, fees, allowances, pensions, gratuities, compassionate allowances or other moneys due to the trustees and to the officers and servants appointed under this Act or lent to the Board by Government, and the contributions, if any, payable to Government on account of the pension and leave-allowances of any officer lent to the Board by Government, and the contributions, if any, duly authorized to be made to any provident fund established by the officers and servants appointed under this Act;

(2) the cost of repairs and maintenance of the property vested in the Board, and all charges upon the same and all working expenses;

(3) such sum as Government may from time to time require for the establishment and maintenance of police for the protection of the port and of the approaches thereto;

(4) the interest and instalments of capital due in respect of any loan that may have been raised by the Board or for which it is liable;

(5) any charges for which the Board may be liable under section 79 or section 80;

(6) the cost, or such portion of the cost, of any new work, plant, vessel or appliance which the Board may determine to charge to revenue;

(7) any other charge which may be specially sanctioned by Government on the application of the Board, or for which the Board may be legally liable.

Annual Estimates.

Chairman to submit annual estimate of income and expenditure to Board.

62. The chairman shall, at a special meeting to be held in the month of January in each year, lay before the Board an estimate of the income and of the expenditure of the Board for the year commencing on the first day of April then next ensuing, in such detail and form as the Board shall from time to time direct.

Such estimate shall be completed and printed, and a copy thereof sent by post, or otherwise, to each trustee, at least ten clear days prior to the meeting before which the estimate is to be laid.

Board to revise and sanction the estimate.

63. The Board shall consider the estimate so submitted to them, and shall sanction the same either unaltered or subject to such alterations as they shall think fit.

Estimate to be submitted to Government.

64. The estimate, as sanctioned by the Board, shall be submitted, through the Commissioner, to the Government, which may, if it thinks fit, at any time within one month after receipt of the same, disallow such estimate, or any portion thereof, and return the same for amendment. The Board shall, if the estimate is so returned by Government, forthwith proceed to amend the same, and shall resubmit the estimate so amended, through the Commissioner, to the Government.

List of works to accompany estimate.

65. Together with the said estimate, the Board shall submit, through the Commissioner, to the Government, a list of the works which the Board propose to execute during the year to which the estimate relates, showing the order in which the said works are to be executed and the date within which each of them will probably be completed or, in the case of any work which will not be completed within the year, the progress intended to be made therewith during the said year.

Supplementary estimates may be made when necessary.

66. The Board may, at any time during the year for which any such estimate has been sanctioned, cause a supplementary estimate to be prepared and submitted to them. Every such supplementary estimate shall be considered and sanctioned by the Board and submitted to the Government in the same manner as if it were an original annual estimate.

No expenditure above R3,000 to be incurred, unless sanctioned in an estimate.

67. Save in cases of pressing emergency, no sum exceeding three thousand rupees shall be expended by or on behalf of the Board, unless such sum is included in some estimate at the time in force which has been finally approved by Government.

If any sum exceeding three thousand rupees in amount is so expended on a pressing emergency, the circumstances shall be forthwith reported by the chairman, through the Commissioner, to Government, together with an explanation of the way in which it is proposed by the Board to cover such extra expenditure.

Audit of Accounts.

Accounts to be audited and examined.

68. The accounts of the receipts and expenditure of the Board shall, twice in every year, be laid before Government, and shall be audited and examined in such manner and by such auditor or auditors as shall, from time to time, be appointed by Government.

Auditors to have power to call for books, etc.

For the purposes of such audit and examination, the auditors may, by summons in writing, require the production before them of all books, deeds, contracts, vouchers and all other documents and papers which they may deem necessary, and may require any person holding or accountable for any such books, deeds, contracts, accounts, vouchers, documents or papers to appear before them at

any such audit and examination, or adjournment thereof, and to make and sign a declaration with respect to the same.

Their remuneration to be fixed by Government. Their report to be published.

The auditors shall be paid by the Board such remuneration as Government shall determine; and, within fourteen days after the audit and examination of the accounts for any half-year shall have been completed, the auditors shall forward a report upon the accounts for such half-year to the Board, who shall cause the same to be published, together with an abstract of the accounts, in the Bombay Government Gazette and in the Sindh Official Gazette.

Disposal of Balances.

Balances may be invested by the board in public securities.

69. The Board may invest any balance remaining on the thirty-first day of March of each year in public securities, and may from time to time sell the said securities, and either re-invest the proceeds in other such securities or credit the same to the general funds of the Board.

Amounts which may be so invested to be limited by Government.

But the money so invested by the Board shall not exceed such amount annually, or in the aggregate, as shall from time to time be prescribed by Government.

In the section "public securities" means securities of the Government of India, Karáchi Municipal debentures, and debentures or other securities issued by the Karáchi Harbour Board or by the Board.

VII.—Penalties.

Penalty for being interested in contracts with board.

70. Any person who, being a trustee, or an officer or servant of the Board, shall acquire, directly or indirectly, any share or interest in any contract or employment with, by, or on behalf of, the Board, shall be deemed to have committed the offence made punishable by section 168 of the Indian Penal Code [a]: XLV of 1860.

Provided that nothing in this section shall apply to any person by reason only of his—

(*a*) having a share in any joint-stock company which shall contract with, or be employed by, or on behalf of, the Board; or

(*b*) having a share or interest in any newspaper in which any advertisement relating to the affairs of the Board may be inserted; or

(*c*) being interested in any loan of money to the Board.

[a] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

(VII.—Penalties. Secs. 71-75.)

Penalty for obtaining illegal gratification.

71. Any person employed under this Act, not being a public servant within the meaning of section 21 of the Indian Penal Code[a], who shall accept or obtain, or agree to accept or attempt to obtain from any person, for himself or for any other person, any gratification whatever other than legal remuneration, as a reward for doing, or forbearing to do, any official act, or for showing, or forbearing to show, in the exercise of his official functions, favour or disfavour to any person, or for rendering, or attempting to render, any service or dis-service to any person with the board or with any public servant as such, or with the Government, shall be liable to the same punishment as is provided by the Indian Penal Code[a] in the case of the like offence committed by a public servant.

XLV of 1860.

Penalty for infringement of sections 33, 34, 36 or 41.

72. Whoever infringes any order issued under section 33 or 34 or any condition prescribed under section 36 or 41 shall be punished with fine which may extend to one hundred rupees; and, if the infringement be continuing, with a further fine which may extend to one hundred rupees for every day such order or condition is infringed.

Penalty for refusing or neglecting to appear before an auditor of accounts, etc.

73. Any person who shall refuse or neglect to appear before any auditor of accounts, or to produce any books, deeds, contracts, accounts, vouchers, documents or papers, or to make or sign any declaration when duly required so to do by any auditor of accounts under section 68, shall be punished for every such neglect or refusal with fine which may extend to one hundred rupees.

Penalty for understating quantity or weight of goods, etc.

74. If it be found, when goods are imported at, or exported from, any wharf, quay, stage, jetty or pier in the possession of the Board, that the weight or quantity of such goods, or the tonnage of any vessel carrying such goods, has been, in the opinion of the Board, intentionally understated in any document presented to any officer of the Board for the purpose of enabling him to determine the tolls, dues, rates or charges payable in respect of the said goods or vessel, the consignee, in the case of goods imported, and the consignor in the case of goods exported, shall be liable to pay to the Board such sum not exceeding twice the proper tolls, dues, rates or charges on the weight or quantity of goods or amount of tonnage so understated as may be determined by the Board; and the said sum shall, on the application of the Board, be recoverable under the warrant of a Magistrate as if it were a fine inflicted by such Magistrate.

Penalty for

75. Any person who removes, or attempts to remove, or abets, within

[a] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

evading rates, etc.

the meaning of the Indian Penal Code [a], the removal of any goods, vessel, animal or vehicle with the intention of evading payment of the tolls, dues, rates or charges lawfully payable in respect thereof to the Board shall be punished with fine which may extend to fifty rupees. XLV of 1860.

Compensation for damage to property of Board.

76. In case any damage or mischief is done to any wharf, dock, quay, jetty, stage, pier or work constructed or acquired by the Board under this Act by any vessel, through the negligence of the master thereof or of any of the mariners or persons employed therein, not being in the service of the Board, any Magistrate of the first class having jurisdiction at Karáchi may, on the application of the Board, and on declaration by them that payment for such damage or mischief has been refused or has not been made on demand, issue a summons to the master or owner of such vessel, requiring him to attend on a day and at an hour named in the summons to answer touching such damage or mischief.

If, at the time appointed in the summons and whether the person summoned appears or not, it is proved that the alleged damage was done through such negligence as aforesaid, and that the pecuniary amount of the same does not exceed two hundred rupees, the Magistrate may issue his warrant of distress, under which a sufficient portion of the boats, masts, spars, ropes, cables, anchors or stores of the vessel may be seized and sold to cover the expenses of and attending the execution of the distress, and the pecuniary amount of damage as aforesaid, and such amount shall be paid to the Board out of the proceeds of the distress:

Provided that, if, at the time of the damage or mischief, the vessel was under the orders of a duly authorized officer belonging to the pilot service or to the Harbour Master's or Port Officer's department, the case shall not be cognizable by the Magistrate under this section.

Cognizance of offences against Act.

77. Except, as is otherwise provided in sections 74 and 76, all offences against this Act or against any bye-law made under section 56 shall be cognizable by a Magistrate.

All fines and damages recovered from any offender or by any distress under section 76 shall be paid to the Board.

Prosecutions.

78. Prosecution under this Act may be instituted by the Board or by any person authorized by them in this behalf, and not otherwise.

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[a] For Act XLV of 1860 see the revised edition, as modified up to 1st August, 1890, published by the Legislative Department.

VIII.—Control.

Government may order survey.

79. Government may at any time order a survey and examination of any work of the Board under this Act, or of the site thereof, and the cost of such survey or examination shall be borne and paid by the Board.

Government may carry out neglected works.

80. If the Board allow any work acquired or constructed by them under this Act to fall into disrepair, or do not complete any work commenced by them or duly estimated for and sanctioned, and do not, after notice given by Government in writing, proceed effectually to repair or complete such work to the satisfaction of Government, Government may cause such work to be restored, completed or constructed, and the cost thereof shall be borne and paid by the Board.

In default, Government may require Board to increase the rates;

81. If it shall at any time appear to Government that sufficient provision is not being made by the Board to meet their liabilities, Government may require the Board, by an order in writing, to increase, subject to its sanction and to the provisions of section 43, to such extent and for such period as shall appear necessary, the tolls, dues, rates and charges or any of them for the time being in force under the said section.

and, on Board's failing to do so, may itself increase them.

If, within fifteen days after receipt of such order, the Board do not comply with the same, Government may, by notification in the Bombay Government Gazette and in the Sindh Official Gazette, increase the said tolls, dues, rates, charges, or any of them, and such notification shall have the same force as if a new scale to the same effect had been duly framed, sanctioned and published under section 43.

Government may revoke powers of Board.

82. If at any time the Government is satisfied that the purposes intended to be accomplished under this Act have not been and are not likely to be properly accomplished by the Board, the Government may, by notification in the Bombay Government Gazette and in the Sindh Official Gazette, give notice that, unless within six months the Board take measures to the satisfaction of Government for properly accomplishing such purposes, the powers by this Act conferred on the Board will, at the end of such period, be withdrawn and revoked.

On the expiration of the period aforesaid, Government may, if no such measures to its satisfaction have been taken by the Board, with the approval of the Governor General in Council, declare such powers to be withdrawn or revoked, and thereupon such powers shall be withdrawn and revoked accordingly, and all the powers, rights and authorities and all the property vested by this Act in the Board shall thereupon vest in Government.

IX.—Miscellaneous.

Saving of previous port regulations.

83. All acts done and proceedings taken by the Karáchi Harbour Board before this Act comes into force, and all orders, rules and regulations relating to the port and to wharves, quays, stages, jetties, piers and landing-places within the port made and issued before this Act comes into force, shall, whenever such acts, proceedings, orders, rules and regulations would have been lawful if this Act had been in force, be deemed to have been respectively done, taken, made and issued under the provisions of this Act.

Recovery of dues as fines under Code of Criminal Procedure.

84. All fees and sums due on account of property for the time being vested in the Board, and all arrears of tolls, charges, rates and dues imposed under this Act, may be recovered, in addition to the other modes hereinbefore provided, upon a summary proceeding before a Magistrate in the manner provided in the Code of Criminal Procedure, 1882 [a], for the recovery of fines. X of 1882.

Trustees not personally liable.

85. No trustee shall be personally liable for any contract made or expense incurred by or on behalf of the Board; but the funds from time to time in the hands of the Board shall be liable for and chargeable with all contracts made in manner provided in this Act.

Trustees liable for breach of trust.

86. Every trustee shall be liable for any misapplication of money entrusted to the Board to which he has been a party, or which happens through, or is facilitated by, the neglect of his duty.

Limitation of suits, etc.

87. No suit shall be commenced against any person for anything done, or purporting to have been done, in pursuance of this Act, without giving to such person one month's previous notice in writing of the intended suit and of the cause thereof, nor after six months from the accrual of the cause of such suit;

and, in the cause of a suit for damages, if tender of sufficient amends shall have been made before the suit was brought, the plaintiff shall not recover more than the amount so tendered and shall pay all costs incurred by the defendant after such tender.

Board not responsible for certain act of their officers and servants.

88. The Board shall not be responsible for any misfeasance, malfeasance or nonfeasance of any officer or servant appointed under this Act;

nor, if they should be appointed by Government under the Indian Ports Act, 1889 [b], conservators of the port, for any misfeasance, malfeasance or nonfeasance of any Deputy Conservator, Port Officer or Harbour Master, or of any assistant or deputy of any such officer or of any person acting under X of 1889.

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[a] For Act X of 1882 see the revised edition, as modified up to 15th December, 1888, published by the Legislative Department.

[b] The reference to Act XII of 1875 is altered in accordance with Act X of 1889, s. 2. (For Act X of 1889 see the revised edition, as modified up to 1st June, 1894, published by the Legislative Department.)

(*Schedule A.*)

the authority or direction of or in subordination to any such officer, assistant or deputy;

nor for any damage sustained by any vessel in consequence of any defect in any of the moorings, hawsers or other things belonging to the Board which may be used by such vessel:

Provided that nothing in this section shall protect the Board from a suit in respect of damage to, or loss of, goods landed or shipped by them or retained in their custody.

SCHEDULE A.

(*See section 27.*)

PROPERTY VESTED IN THE BOARD.

I.—All the right, title and interest of the Secretary of State for India in Council in the following lands, buildings, workshops, piers, breakwaters groynes, embankments, bridge, light-house, signal-stations, jetty, quay, graving-dock and railway lines, together with all the fittings and other appurtenances thereof (namely):—

Consecutive number or plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
I	Land at Manora occupied by Harbour Works' office, workshop, etc., together with the following buildings standing thereon (namely):—	Port Engineer, Karáchi.	On the north by plot No. III and the British India Steam Navigation Company's coal-shed and quarantine buildings. On the south by Persian Gulf telegraph ground and buildings. On the east by harbour. On the west by backwater and mangrove swamp.	24	4,547
	Bungalows, with outhouses (supervisor's).	Do. ...	Kutcha pucka.		

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number or plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
I—*contd.*	Harbour Works' office and peons' quarters.	Port Engineer, Karáchi.	Kutcha pucka.		
	Bungalow, with outhouses (superintendent of machinery's).	Do. ...	Pucka.		
	Do. do. (clerks' and artificers').	Do. ...	Kutcha pucka.		
	Do. do. (supervisor and clerks').	Do. ...	Do.		
	Do. do. (accountants').	...	Do.		
	Do. do. (cashier and draftsmen's).	Port Engineer, Karáchi.	Do.		
	Do. do. (overseers').	Do. ...	Do.		
	Workshop, chimney, smiths, and carpenters' sheds and engine-house.	Do. ...	Includes workshop, engine, machinery and fittings, two pucka and remainder kutcha.		
	Store-room and office.	Do. ...	Pucka.		
	Four lines for khalasis and maistry and boat-house.	Do. ...	Kutcha pucka.		
	Four store-godowns	Do. ...	3 kutcha and 1 pucka.		
	Chauki for Harbour Works Police	Do. ...	Pucka.		
	Quarters for enginemen.	Do. ...	Kutcha pucka.		
	Firewood compound	Do. ...	Pucka.		
	Line for Harbour Works Police.	Do. ...	Do.		
	Bungalow, with outhouses (dredge engineer's).	...	Kutcha pucka.		
	Do. do. (store-keeper's).	Port Engineer, Karáchi.	Do.		
	Do. do. (time-keeper's).	Do. ...	Do.		
	Do. do. (supervisor's).	Do. ...	Pucka.		
	Tidal-instrument house	Do. ...	Wood-work.		

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area,	
				Acres.	Square yards.
II	Land occupied by Harbour Works' work-people's lines, together with the following buildings standing thereon, (namely) :—	Port Engineer, Karáchi.	On the north by plot No. I. On the south by native dealers' and contractors' lines. On the east by open space and Persian Gulf telegraph premises. On the west by No. 2 Battery.	7	806
	Five lines for workmen.	Do. ...	Kutcha.		
	Five lines for carpenters and labourers.	Do. ...	Kutcha pucka.		
	Line for sweepers	Do. ...	Do.		
III	Land occupied by Harbour Works' (Khalási lines).	Do. ...	On the north by British India Steam Navigation Company's coal-shed. On the south by plot No. 1. On the east by harbour. On the west by backwater and mangrove swamp.	...	3,033
IV	Land occupied by Harbour Works' quarry and reclaimed ground along shore between deep water point and the shore end of the breakwater, together with the following buildings standing thereon (namely) :—	Do. ...	On the north by harbour and Port Department's ground. On the south by Manora breakwater. On the east by harbour. On the west by plots Nos. V, VI and VII.	17	4,033
	Office and store-room of No. 1 Division with charging room.	Do. ...	Pucka.		
	Line for workmen ...	Do. ...	Kutcha pucka.		
	Do. Pointsmen...	Do.	Do.		

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
IV—*contd.*	Bungalow, with out-houses (dredge store and time-keeper's).	Port Engineer, Karáchi.	Kutcha pucka.		
	Powder Magazine ...	Do. ...	Pucka.		
V	Former site for Harbour Works, temporary jail, and new quarry.	Do. ...	On the north by plot No. 6. On the south by Mr. D. McIver's plot. On the east by plots Nos. IV and VII, and St. Paul's church. On the west by the sea.	1	1,590
VI	Plot of ground, with Harbour Works' wells.	Do. ...	On the north by Captain Bishop's bungalow (formerly Lieutenant A. W. Stiffe's). On the south by plot No. V. On the east by plot No. IV. On the west by open space and the sea.	...	1,069
VII	Plot of ground with Harbour Works' bungalow, together with the following buildings standing thereon (namely) :—	Do. ...	On the north by St. Paul's church. On the south by open space and Hindu temple. On the east by plot No. IV. On the west by plot No. V.	...	3,499
	Harbour Works' bungalow and out-houses (Port Engineer's).	Do. ...	.....		
VIII	Land occupied by Port Department, together with the following buildings standing thereon (namely) :—	Port Officer	On the north by the Persian Gulf telegraph premises. On the south by plot No. IV and open space. On the east by harbour. On the west by cemetery.	19	856

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
VIII—*contd.*	Bungalow, with out-houses (dredge foreman's).	Port Engineer, Karáchi.	Kutcha pucka.		
	Coal-shed (formerly boat-shed).	Port Officer	Kutcha.		
	Godown at Manora.	Do. ...	Pucka.		
	Do. do.	Do. ...	Do.		
	Boat-shed (formerly coal-shed).	Do. ...	Do.		
	Four lines for lascars and sweepers.	Do. ...	Do.		
	Water-reservoirs, with service tanks for Port Department.	Do. ...	Do.		
	Firewood compound, Port Department.	Do. ...	Do.		
	European school with latrines.	Do. ...	Do.		
	School mistress' quarters and out-houses.	Do. ...	Do.		
	Reading-room ...	Do. ...	Kutcha pucka.		
IX	Land occupied by fort light-house, signal station, etc., together with the following buildings standing thereon (namely):—	Do. ...	On the north by plots Nos. X and XI. On the south by Manora breakwater. On the east by harbour. On the west by the sea.	3	2,967
	Light-house and light lascars' quarters and bastion godown.	Do. ...	Pucka.		
	Fort and Port Officer's quarters and out-houses.	Do. ...	Kutcha pucka.		
	Peons' quarters at fort.	Do. ...	Do.		
X	Land occupied by out-houses near fort.	Do. ...	On the north by plot No. IV. On the south by plot No. IX. On the east by plot No. IV. On the west by plot No. XI.	...	4,501

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XI	Land occupied by bungalow and out-houses together with the following buildings standing thereon, (namely):—	Port Officer.	On the north by open space and plot No. IV. On the south by plot No. IX. On the east by plot No. X. On the west by plot No. X and open space and the sea.	...	4,046
	Bungalow with out-houses and part of Master Attendant's quarters.	Do. ...	Kutcha.		
XII	Land to the west of Napier Mole at its southern end, together with the following building standing thereon (namely):—	Port Engineer, Karáchi.	On the north by new channel. On the south by plot No. XIV. On the east by China Creek backwaters. On the west by plot No. XIII.	2	941
	Workmen's quarters, late new channel office.	Do.	Pucka.		
XIII	Land to the west of Napier Mole between Plot No. XII and the Commissariat premises, together with the following building standing thereon (namely) :—	Do. ...	On the north by new channel. On the south by plot No. XIV. On the east by plot No. XII. On the west by Commissariat yard.	4	1,408
	Office on ground occupied by Messrs. J. Cosser & Co.	Do. ...	Kutcha pucka.		
XIV	Land to the east of Napier Mole and former railway embankment.	Do. ...	On the north by plots Nos. XII and XIII. On the south by Andrew Road. On the east by China Creek backwaters. On the west by Custom's pier.	25	2,773

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yard.
XV	Land to the east of Keamari Groyne.	Port Engineer, Karáchi.	On the north by North-Western Railway's Keamari station ground. On the south by sea. On the east by China Creek. On the west by Keamari Groyne and harbour.	61	3,028
VXI	Merewether Pier shore plots A, B, C, D, together with the following buildings standing thereon (namely):—	Port Officer.	On the north by plot No. XVII. On the south by railway sheds and pier. On the east by railway ground. On the west by Merewether Pier and harbour.	2	1,940
	Engine and boiler-house, chimney and accumulator tower.	Do. ...	Pucka.		
	Office for Pier Master	Do. ...	Do.		
	Goods-shed ...	Do.	Do.		
XVII	Land from Merewether Pier to Customs-pier, together with the following building standing thereon (namely):—	Do. ...	On the north by Commissariat yard. On the south by plot No. XVI. On the east by plots Nos. XVIII and XIV. On the west by harbour.	1	3,710
	Wooden office near Customs-pier.	Do. ...	Wood-work.		
XVIII	Land for Merewether Pier establishment on which the following buildings stand (namely):—	Do. ...	On the north by plot No. XIV. On the south by Andrew Road. On the east by open space. On the west by plot No. XVII.	1	3,130
	Pier Master's quarters and out-houses.	.....	Pucka.		
	Quarters for Native establishment under Port Officer and Port Engineer.	.....	Do.		

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XIX	Land to the east of Hindú temple at north end of Napier Mole bridge with the following building standing thereon (namely) :—	Port Engineer, Karáchi.	On the north by open space covered at high-water. On the south by new channel. On the east by open space. On the west by Native jetty.	...	2,967
	Peons' quarters near Hindú temple.	Do. ...	Pucka.		
XX	Land for Harbour Works new quarry at Hands Hill, with the following buildings standing thereon (namely) :—	Do. ...	On the north by open space and hills. On the south by open space and old quarry. On the east by open space. On the west by do.	46	3,249
	Peons' quarter at Hands Hill.	Do. ...	Pucka.		
XXI	Land between China Creek embankment and the sea.	Do. ...	On the north by China Creek embankment. On the south by the sea. On the east by bare sand hills. On the west by sandy ridges.	90	769
XXII	Anemometer-house, Manora, with chaukidár's house adjoining.	Do. ...	On ridge of west bank, Manora—Anemometer-house, pucka; chaukidár's, kutcha.	...	111
XXIII	Powder Magazine on Manora Point.	Port Officer.	On the north by open space. On the south by No. I Battery. On the east by fort. On the west by the sea. Pucka.	...	99
XXIV	Powder Magazine near quarantine buildings.	Do. ...	On the north and south by sand crest running to Bhit Village. On the east by harbour. On the west by Fullah Creek. Pucka.	...	100

(*Schedule A.*)

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XXV	Bungalow with out-houses at Keamari.	Port Engineer, Karáchi.	On the north by North-Western Railway's station-ground. On the south by Keamari Groyne. On the east by open space. On the west by North-Western Railway's sheds. Kutcha pucka.	...	2,456
XXVI	Manora Backwater	Do. ...	Extends from Manora Point on the west side of the entrance in S. by E ¼ east direction for a length of 1,503 feet.		
XXVII	Keamari Groyne ...	Do. ...	Runs in a slight curve about S.S.E. from west end of Keamari for a length of 7,548 feet.		
XXVIII	East pier	Do. ...	An extension of the Groyne, total length 1,500 feet.		
XXIX	Napier Mole-bridge...	Do. ...	An iron bridge on screw piles with a masonry abutment at either end. Length 1,200 feet in 30 spans of 40 feet each.		
XXX	Native jetty and quay, together with the following buildings standing thereon (namely)—	Port Officer,	Extends westward from north end of Napier Mole bridge. The south wall is 1,400 feet in length.	5	
	Chauki and store-room at Native jetty.	Port Engineer, Karáchi.	Pucka.		
	Godown and Native jetty.	Port Officer.	Do.		
	Harbour Board office at Native jetty.	Do. ...	Do.		
	Peons' quarter at jetty.	Do. ...	Do.		
	Goods shed do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		
	Do. do. ...	Do. ...	Do.		

SCHEDULE A—*continued.*

Consecutive number of plots.	Name of property.	Heretofore in charge of—	Boundaries and general description.	Approximate area.	
				Acres.	Square yards.
XXXI	China Creek stoppage embankment.	Port Engineer, Karáchi.	An embankment 2,780 feet long.		
XXXII	Stone shipping-pier at Manora.	Do. ...	Situated at the northern limit of the plot of ground occupied by the office and workshops.		
XXXIII	Workshops' pier at Manora.	Do. ...	A wooden pier with fixed spur legs to lift twenty tons.		
XXXIV	Pilot pier, Manora	Port Officer.	Wooden pier.		
XXXV	Coal-pier at Manora	Do.			
XXXVI	Water pier do. ...	Do.			
XXXVII	Pier at deep water point, Manora.	Port Engineer.	Called Humby Pier.		
XXXVIII	Merewether Pier at Keamari.	Port Officer	An iron screw-pile pier T-headed and with hydraulic cranes.		
XXXIX	Customs-pier at Keamari.	Do. ...	Wooden pier.		
XL	Commissariat pier, do.	Do. ...			
XLI	Railway-lines at Manora and Keamari.	Port Engineer, Karáchi.			
XLII	Graving-dock at Manora.	Do. ...			
XLIII	Layári Hard embankment and embankment in front of north wall of jetty.	Port Officer.			

(*Schedule A.*)

SCHEDULE A—*continued.*

II.—The following vessels and boats, together with all the fittings, gear and other appurtenances thereof (*viz.*):—

Consecutive number.	Name and description.	Heretofore in charge of—
1	Steam tug "Manora," 441 tons, 250 horse-power, paddle wheel.	Port Officer, Karáchi.
2	"Nurbudda," cutter, 70 tons	Do.
3	Warp boat No. 1	Do.
4	Do. No. 2	Do.
5	"Keddimari," anchor boat	Do.
6	"Rose," steam barge	Do.
7	"Flirt," steam launch	Do.
8	Bazar boat	Do.
9	Cargo boat	Do.
10	Boat, cutter	Do.
11	Do.	Do.
12	Life-boat (White's)	Do.
13	Do.	Do.
14	"Jumbo," steam anchor hoy	Do.
15	Gig, 32 feet	Do.
16	Boat, 23 feet	Do.
17	Do.	Do.
18	Do.	Do.
19	Gig, small	Do.
20	Jolly-boat	Do.
21	"Billy," a crane barge	Port Engineer, Karáchi.
22	Boat, country, for surveying, 28 feet long	Do.
23	Do., do., 30½ „	Do.
24	Boat, anchor, 23¾ feet	Do.
25	Do., 24¾ feet	Do.
26	Do., 23 feet 9 inches	Do.
27	Do., 30 feet 6 inches	Do.
28	Life-boat, 27 feet	Do.
29	Do., 20 feet 9 inches	Do.
30	Boat, canoe, 23 feet 4 inches	Do.
31	Boat, cutter, 25 feet 3 inches	Do.
32	Jolly-boat, 18¾ feet	Do.
33	Do., 22 feet 5 inches	Do.
34	Do., 16 feet 8 inches	Do.
35	Boat, gig, 25 feet 5 inches	Do.
36	Do., 20¾ feet	Do.
37	Boat for diver's use, 30¼ feet	Do.

(*Schedule A. Schedule B.*)

SCHEDULE A—*continued.*

Consecutive number.	Name and description.	Heretofore in charge of—
38	"Nearchus," steam dredger, 160 feet long, 65 horse-power nominal.	Port Engineer, Karáchi.
39	"Albuquerque," steam dredger, 160 feet long, 117 horse-power nominal.	Do.
40	"Dubba," steam dredger, 100 feet long, 25 horse-power nominal.	Do.
41	"Gizree," steam dredger, 100 feet long, 25 horse-power nominal.	Do.
42	"Sindi," steam hopper barge, 130 feet long, 50 horse-power nominal, to carry 400 tons.	Do.
43	"Baluchi," steam hopper barge, 130 feet long, 50 horse-power nominal, to carry 400 tons.	Do.
44	Sailing hopper barge, 90 feet, to carry 200 tons.	Do.
45	Hopper barge, under construction, 90 feet, to carry 200 tons.	Do.
46	Do., do. do., 90 feet, to carry 200 tons.	Do.
47	"Midge," steam launch, 28 feet long, No. 451, built by Mr. John Samuel White, Cowes.	Do.

III.—All other lands, buildings, harbour-works, railway-lines, machinery, plant, tools, furniture, vessels and boats, and other property whatsoever not hereinbefore particularly described, heretofore in the charge of the Port Officer of Karáchi, the Port Engineer of Karáchi, or of the Karáchi Harbour Board.

SCHEDULE B.

(*See section 28.*)

(*I*) *Loans raised by the Karáchi Harbour Board from the public with the sanction of the Governor General in Council and not yet discharged.*

Year in which taken up.	Amount taken up.	Rate of interest payable annually.
	R	
Loan of 1880-81 . .	2,29,000	5 per cent.
,, 1882-83 . .	71,000	,,
,, 1883-84 . .	2,88,500	,,

SCHEDULE B—*continued.*

(2) *Loans promised by the Governor General of India in Council to the Karáchi Harbour Board and which are in course of being taken up.*

Amounts of Loans.	Rate of interest payable annually.
(1) ₹7,11,500 (being ten lakhs, minus the amount of the loan of 1883-84 raised by the Board from the public).	4½ per cent.
(2) ₹15,50,000	,,

SCHEDULE C.

(*See section 37.*)

RECEIPT FOR GOODS BY THE PORT TRUST, KARÁCHI.

Landed, during the day of from the by the Port Trust, Karáchi, the noted in the margin; contents and state of the contents unknown.

NOTE.—If there be any apparent injury, this is to be stated.

For the Board.
A. B.

The *Karáchi*; *day of*

THE PROTECTION OF PILGRIMS ACT, 1887.

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